

WILLIAM K. HARRINGTON  
United States Trustee for Region 2  
U.S. Department of Justice  
Office of the United States Trustee  
U.S. Federal Office Building  
201 Varick Street, Room 1006  
New York, NY 10014  
Tel. (212) 510-0500  
By: Paul K. Schwartzberg, Esq., Trial Attorney

Hearing Date and Time:  
July 14, 2015 at 10:00 a.m.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re :  
 : Case No. 13-13216 (SHL)  
HOWARD SCOTT LINKER, :  
 : Chapter 7  
 :  
Debtor. :  
----- X

**NOTICE OF MOTION AND MOTION FOR:  
(1) DISMISSAL OF THE CHAPTER 7 CASE, OR (2) DIRECTING  
THE DEBTOR TO APPEAR AT THE MEETING OF CREDITORS AND  
EXTENDING THE TIME TO OBJECT TO THE DEBTOR'S DISCHARGE  
AND DISCHARGEABILITY OF DEBTS**

**NOTICE IS HEREBY GIVEN** that the Court has scheduled a hearing to consider the motion of William K. Harrington, the United States Trustee for: (1) an order pursuant to Section 707(a) of the Bankruptcy Code dismissing of this Chapter 7 bankruptcy case or; (2) an order pursuant to Rule 4004(b) of the Federal Rules of Bankruptcy Procedure, extending the time to object to the Debtor's discharge and the dischargeability of the Debtor's debts. The hearing will be conducted by the Honorable James L. Garrity, U.S. Bankruptcy Judge, on July 14, 2015, at 10:00 a.m. at the United States Bankruptcy Court, One Bowling Green, Rm. 601, New York, NY 10004.

**PLEASE TAKE FURTHER NOTICE** that responsive papers, with proof of service, shall be filed with the Clerk of the Court, with copies delivered directly to Judge Garrity's chambers, and served on the U.S. Trustee at U.S. Department of Justice, Office of the U.S. Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, NY 10014 (Attn.: Paul K. Schwartzberg, Esq.), so as to be

received at least seven days before the hearing. If the Debtor does not appear at the hearing on this motion, the motion may be granted on default.

Dated: New York, New York  
May 21, 2015

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE

By /s/ Paul K. Schwartzberg  
Trial Attorney

Upon the affirmation of Deborah J. Piazza, the Chapter 7 Trustee, on file with the Court, the U.S. Trustee hereby moves, pursuant to Section 707(a) of the Bankruptcy Code, for an order dismissing the captioned case due to the unexcused failure of the Debtor to appear on March 5, 2015, April 15, 2015 and May 13, 2015 at the meeting of creditors mandated by Section 341(a) of the Bankruptcy Code; or directing the Debtor to appear on \_\_\_\_\_, 2015, at 10:00 a.m., for the required Section 341(a) meeting of creditors, and extending the time for the Chapter 7 Trustee and the U.S. Trustee to object to the Debtor's discharge and dischargeability of particular debts until 60 days following the above-referenced date for the Section 341(a) meeting.

Dated: New York, New York  
May 21, 2015

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE

By /s/ Paul K. Schwartzberg  
Paul K. Schwartzberg  
Trial Attorney